

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:10cr44**

UNITED STATES OF AMERICA,)	
)	
Appellee,)	
)	
)	
vs.)	<u>ORDER</u>
)	
)	
ELIZABETH M. O’NAN.)	
)	
Appellant.)	
<hr style="width:40%; margin-left:0"/>)	

THIS MATTER is before the Court on the Appellant’s motion to stay the imposition of fines and restitution pending her appeal to the Fourth Circuit Court of Appeals. [Doc. 33].

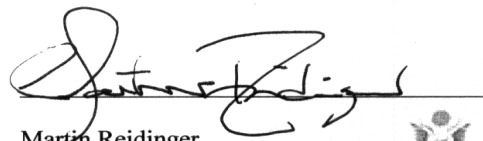
Upon careful consideration of the Appellant’s motion, and for cause shown, the Court will stay the Appellant’s sentence with respect to the imposition of the fine, restitution, and costs. See Fed. R. Crim. P. 38(c), (e). That portion of the Judgment prohibiting the Appellant from interfering with the use of Forest Service Road 1188A in any manner shall remain in effect during the pendency of the appeal.

Accordingly, **IT IS, THEREFORE, ORDERED:**

- (1) the Appellant's Motion for Stay of Fines and Restitution [Doc. 33] is **ALLOWED**;
- (2) the sentence to pay a fine of \$500, a \$10 assessment, a \$25 processing fee, and restitution in the amount of \$3,250 to the United States Forest Service is **STAYED** pending resolution of the appeal to the Fourth Circuit Court of Appeals; and
- (3) the portion of the Judgment prohibiting the Appellant from interfering with the use of Forest Service Road 1188A in any manner shall remain in effect during the pendency of the appeal.

IT IS SO ORDERED.

Signed: March 25, 2011

A handwritten signature in black ink, appearing to read "Martin Reidinger", is written over a horizontal line.

Martin Reidinger
United States District Judge

